

**REMARKS**

This paper is responsive to the Office Action dated January 17, 2008. Claims 1-10 are currently pending. Claims 1-10 stand rejected. Claims 1-10 are amended. Support for all amended claims can be found in the specification, and no new matter has been added by these amendments. Reconsideration of the claims in view of the amendments and the following remarks is respectfully requested.

Claim Rejections Under 35 U.S.C. § 112:

Claims 1-10 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Office Action states that claims 1 and 6 contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Specifically, the Office Action states that the specification does not disclose continuously executing recording without regard to the temperature of the interior of the pickup detected by the temperature sensor.

Claims 1 and 6 have been amended to delete "without regard to the temperature of the interior of the pickup detected by the temperature sensor." Thus, the rejection under 35 U.S.C § 112 is overcome.

Claim Rejections Under 35 U.S.C. § 103:

Claims 1-3 and 5-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/006084 to *Kawashima* in view of U.S. Patent Number 6,738,330 issued to *Shumura*. Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kawashima* and *Shumura* in view of U.S. Patent Number 5,311,494 issued to *Sugita*. Without conceding the merits of the rejection, Applicants respectfully submit that the amended claims overcome this rejection.

Claim 1, as amended, recites:

An optical disc device comprising:  
a pickup having a semiconductor laser for providing a laser beam for recording data on an optical disc, wherein the pickup is configured to identify a type of the optical disc during execution of a recording operation on the optical disc;  
a motor configured to rotate the optical disc at a rotational speed;  
a movement mechanism configured to move the pickup in a radial direction of the optical disc;  
a system controller configured to control a data recording speed at which the recording operation is executed on the optical disc, wherein the system controller controls the data recording speed by supplying a drive current to the semiconductor laser and by controlling the rotational speed at which the motor rotates the optical disc;  
a temperature sensor configured to detect a temperature of an interior of the pickup; and  
a memory configured to store information corresponding to different types of optical discs, wherein the information comprises a data recording speed at which a recording operation is optimally executed on a particular type of optical disc based on a particular temperature of the interior of the pickup;  
wherein the system controller:  
determines the type of the optical disc on which the pickup is executing the recording operation, wherein the type of the optical disc is determined from the pickup,  
obtains a data recording speed from the memory, wherein the obtained data recording speed corresponds to the data recording speed at which a recording operation is optimally executed on the determined type of the optical disc at the temperature detected by the temperature sensor, and  
controls the drive current supplied to the semiconductor laser and controls the rotational speed at which the motor rotates the optical disc based on the obtained data recording speed such that the data recording speed at which the recording operation is executed on the optical disc is changed to the obtained data recording speed,  
thereby continuously executing the recording operation on the optical disc.

As described in claim 1, information corresponding to different types of optical discs is stored in memory. The information includes a write speed at which a recording operation is optimally executed on a particular type of optical disc based on a particular temperature of an interior of a pickup that provides a laser for executing the write operation. A system controller determines the type of optical disc on which the recording operation is being executed, and accesses the optimal write speed from the memory that corresponds to the type of optical disc and a temperature sensed at the pickup. The system controller then changes the

write speed to the optimal write speed. This feature of the invention is disclosed in the specification in paragraphs [0027]-[0029], [0035], [0037] and [0038]; and Figs. 2 and 6.

In contrast, *Kawashima* discloses special information pertaining to a disc that is recorded in a read area of the disc. The special information includes a target recording power, reference speed, disc-application code, disc type and disc sub-type. (Paragraphs [0067]-[0068]). In other words, the information indicating the write speed is recorded on the disc. This is different from claim 1 because *Kawashima* does not disclose that an optimal write speed is stored in memory.

*Shumura* discloses a temperature sensor. The value detected by the temperature sensor is used to determine whether recording of an optical disc should be conducted. For example, if the value detected by the temperature sensor reaches or exceeds a predetermined value, then the recording of the optical disc is terminated thereby protecting a recording laser from damage caused by overheating. (Column 7, lines 20-26). An administration signal indicates the writing conditions before recording of the optical disc is terminated. (Column 10, lines 25-28). This is different than the invention described in claim 1.

Neither *Kawashima*, *Shumura* nor any of the other cited references, alone or in combination, disclose all of the features recited in independent claim 1. Specifically, *Kawashima* and *Shumura* do not disclose "a memory configured to store information corresponding to different types of optical discs, wherein the information comprises a data recording speed at which a recording operation is optimally executed on a particular type of optical disc based on a particular temperature of the interior of the pickup; wherein the system controller: determines the type of the optical disc on which the pickup is executing the recording operation, wherein the type of the optical disc is determined from the pickup, obtains a data recording speed from the memory, wherein the obtained data recording speed corresponds to the data recording speed at which a recording operation is optimally executed on the determined type of the optical disc at the temperature detected by the temperature sensor, and controls the drive current supplied to the semiconductor laser and controls the rotational speed at which the motor rotates the optical disc based on the obtained data recording speed such that the data recording

speed at which the recording operation is executed on the optical disc is changed to the obtained data recording speed." For at least this reason, claim 1 is allowable over the cited art.

Independent claim 6 recites features that are similar to the features recited in amended claim 1. As discussed above with reference to claim 1, the cited art does not teach these feature. Thus, claim 6 is also allowable over the cited art for at least the same reasons.

Claims 2-5 depend from claim 1, and claims 7-10 depend from claim 6. As discussed above, claims 1 and 6 are allowable. Thus, claims 2-5 and 7-10 are also allowable for at least the same reasons as well as on their own merits.

Accordingly, withdrawal of the rejection of claims 1-10 under 35 U.S.C. 103(a) is respectfully requested.

#### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

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